

ensuing the day on which the said proprietors by themselves or attorney or by guardian or next friend, when they are infants, shall have severally filed their respective claims with the clerk whom the commissioner may appoint to record their proceedings; *provided however*, that the said commissioners shall not consider any claim which shall not be stated in writing and filed as aforesaid, within five years from the period of the completion of the said rail road, or after such bridge shall have been built, and if any vacancy shall happen by reason of either of the said commissioners declining to act or by resignation, death or otherwise, the Judges of the sixth judicial district or any two of them, shall appoint a person or persons to fill such vacancy, and that they and their clerk shall be severally entitled to receive from the said company three dollars per day for each and every day which they shall be necessarily engaged in attending to their respective duties under this act, and that before they proceed to the discharge of their duties, the said commissioners shall severally take and subscribe the following oath or affirmation: I, _____, do swear or affirm that I will to the best of my skill and judgment, impartially consider, decide and declare what damages may have been sustained, or will in my opinion be sustained by the proprietors of any land, lying on the Gunpowder River or Bush River, by reason of the construction of any bridge which the said company may cause to be built across either of the said rivers, and who shall file his claim for damages within the time limited therefor by the act under which I am commissioner; and the said commissioners shall appoint a clerk at the expense of said corporation, and they shall make a full and accurate return of all their proceedings to the clerk of the county court of the county in which such land shall be situate, to be preserved by him, and copies of any part thereof, certified under the seal of said court, shall be evidence in the trial of any cause arising out of any claim therein mentioned, and either party interested may within thirty days after return of the proceedings of the commissioners to the clerk aforesaid, file a petition to the said court, appealing from and praying a review of the deci-

Proviso

Vacancy

Compensation

Oath

Appoint clerk

Make a return

Copy to be evidence

Appeal